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FM AMEMBASSY JAKARTA

TO RUEHC/SECSTATE WASHDC IMMEDIATE 7273

INFO RUEHZS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS PRIORITY

RUEHBY/AMEMBASSY CANBERRA 1697

RUEHKO/AMEMBASSY TOKYO 1250

RUEHWL/AMEMBASSY WELLINGTON 2113

RHEHNSC/NSC WASHDC

RUEAWJA/DEPT OF JUSTICE WASHDC

RUEAIIA/CIA WASHDC

RUEATRS/DEPT OF TREASURY WASHDC

C O N F I D E N T I A L SECTION 01 OF 02 JAKARTA 003320

SIPDIS

SIPDIS

DEPT FOR EAP, EAP/MTS, EAP/MLS, INR/EAP, INL (BOULDIN)

EEB/IFD/OMA

DOJ/OPDAT FOR LEHMANN/ALEXANDRE

SINGAPORE FOR BAKER

TREASURY FOR IA-BAUKOL

DEPT PASS FEDERAL RESERVE SAN FRANCISCO FOR FINEMAN

DEPT PASS EXIM BANK

DEPT PASS USTR FOR DKATZ, RBAE

NSC FOR EPHU

E.O. 12958: DECL: 12/03/2017

TAGS: [PGOV](#) [PREL](#) [KCOR](#) [EAID](#) [ID](#)

SUBJECT: ATTORNEY GENERAL RAMPS UP ANTI-CORRUPTION EFFORT

REF: A. JAKARTA 3173

[1B](#). JAKARTA 2662

[1C](#). JAKARTA 2229

Classified By: Pol/C Joseph Legend Novak, reasons 1.4 b-d.

¶1. (C) SUMMARY: In a highly positive development, the Attorney General has removed dozens of prosecutors from their positions during his first six months on the job, many for allegedly accepting bribes. These aggressive moves are part of a larger program--which Mission has strongly supported--to improve prosecutorial professionalism. Observers believe the AG's actions are vital for judicial reform, but low pay is a long-term obstacle. END SUMMARY.

REMOVING THE BAD APPLES

¶2. (SBU) A key Indonesian government department is taking firm steps against corruption and incompetence. Attorney General Hendarman Supandji announced last week that 59 prosecutors had been removed from their positions during the past six months. Sources at the AG's office confirmed this figure and explained that it represented a significant uptick in removals. The dismissals have targeted prosecutors across the country, from northern Sumatra to Papua. Other prosecutors have suffered less-drastic disciplinary measures, including delayed promotion.

¶3. (C) Public announcements concerning the firings generally mention prosecutors' failure to adhere to proper procedures in handling cases and/or ethical violations. Privately, however, AG spokesman Thomson Siagian told us that many of the removed prosecutors are suspected of accepting bribes. According to Siagian, while bribe-taking is very difficult to prove at a criminal level, procedural irregularities can flag a possible bribery case. By failing to follow proper procedures, a corrupt prosecutor can lay the legal basis for the dismissal of the case or an acquittal, thereby disguising the bribe. Sources speculate that this may have been the case in the recent highly publicized acquittal of Sumatran illegal logging kingpin Adelin Lis (ref A). The AGO is

actively investigating several prosecutors involved in that case.

#### BROAD REFORM AGENDA

¶4. (SBU) The crackdown is part of a larger set of reform initiatives announced by the new AG in July and scheduled to be fully implemented by January 2008. The reforms include a more transparent recruitment and promotion system, and a greater role for the AGO training center in providing ongoing professional development. Another key reform was the drafting--with assistance from Mission--of a new Prosecutorial Code of Conduct. Deputy AG Muchtar Arifin recently led a series of seminars around the country to explain the new policies. USAID has provided support for these programs through its Justice Sector Reform Program.

¶5. (C) The pro-reform initiative addresses critical areas. AGO Chief of Prosecutions for Special Crimes Salman Maryadi recently told poloff that a large number of prosecutors were simply not competent enough to conduct a trial properly in court. Another prosecutor recently asserted to poloff that as many as half of all prosecutors had bribed their way past the entrance exams.

#### BUT SALARIES STILL LOW

¶6. (C) Prosecutors to whom we have spoken have been generally supportive of the removals, although AG spokesman Siagian acknowledged privately that it was sometimes possible for a "fired" prosecutor to continue working at the AGO in a diminished, non-prosecutorial capacity. In the long term, however, prosecutors continue to cite low pay as a major obstacle to improving the professionalism of the prosecutors'

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service. One prosecutor with over 35 years experience told poloff his salary was about \$500 USD/month, not nearly enough for a family in expensive Jakarta.

¶7. (C) Moreover, contacts have told us that, because of the lack of operational funds available, prosecutors sometimes had to pay court expenses from their own pockets, including travel costs for witnesses who were crucial to the prosecution. This created further incentives for prosecutors to tap into "off-book" funding sources, including bribes. A career prosecutor himself, Supandji is keenly aware of this problem and has stated that he intends to address these issues after his internal reforms have taken root.

#### SUSTAIN IT

¶8. (C) The emphasis on integrity and professionalism within the AGO burnishes Supandji's image as a genuine anti-corruption fighter and is a natural complement to his external focus on corruption cases (refs B-C). Supandji seems to have the personal drive and the political backing to follow through on his reforms, but generating more money for prosecutors--both in funding and in salaries--will be critical to the long-term success of his campaign. That said, since Supandji will eventually move on, it is vital that his agency truly buy into his reforms now so they are sustained into the future.

HUME